

### III. REMARKS

After entry of the proposed amendment to the claims above, claim 23 now contains in elements (b) and (c) the characteristic feature of independent apparatus claim 1, *i.e.*, the heating of a high-temperature superconductor material with two different energies at different locations. On the other hand, amended claim 23 no longer refers to the grain size. In view of the mentioned amendments, Applicant submits that amended claim 23 does not constitute an independent and distinct invention, and the restriction requirement should now be removed and all claims in the case considered in a single examination.

#### IV. CONCLUSION

Applicant respectfully requests that the Examiner call Applicant's attorney at the telephone number listed below if there are matters which can be discussed by telephone to advance prosecution of this application.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 50-2413 for any fees required or overpaid.

Respectfully submitted,

5/28/09  
Date

Ray Ferrera  
Raymond R. Ferrera, Esq.  
USPTO Registration No. 47,559  
ADAMS AND REESE LLP  
1221 McKinney Street, Suite 4400  
Houston, Texas 77010  
Tel. (713) 308-0127  
Fax (713) 308-4001  
ATTORNEY FOR APPLICANT